

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

BRANDON K. THRASHER,

Plaintiff,

v.

**FORT WORTH POLICE DEPARTMENT,
NORTHLAKE POLICE DEPARTMENT, and
DENTON COUNTY SHERIFF'S OFFICE
AND DEPARTMENT,**

Defendants.

Civil Action No.: 4:20-cv-00350

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MEMORANDUM OPINION AND ORDER

Pending before the Court are the following motions:

- (1) Plaintiff Brandon K. Thrasher's ("Plaintiff") Motion for Emergency Hearing and Relief from Government and for "Government to Remove All Their Illegal Spy Equipment and to Immediately Stop Their Illegal Surveillance" (the "Emergency Motion for Removal") (Dkt. 7); and
- (2) Plaintiff's Motion for Emergency Hearing and Relief from Government ("Emergency Motion for Hearing") (Dkt. 8).

Plaintiff filed suit on April 22, 2020, but failed to prepare service of process on the named Defendants. *See* Dkt. 1. On May 5, 2020, the Court granted Plaintiff's request to proceed in forma pauperis and ordered Plaintiff to prepare service of process so that the named Defendants could be served. *See* Dkt. 5. Prior to Plaintiff providing the Clerk of Court with process in order to have Defendants served in this matter, Plaintiff filed the Emergency Motion for Removal and the Emergency Motion for Hearing (together, the "Motions"). *See* Dkts. 7, 8. Thus, on June 5, 2020, the Court directed the Clerk of Court to issue summons to Defendants Fort Worth Police Department, Northlake Police Department, and Denton County Sheriff's Office and Police Department (collectively, "Defendants") despite Plaintiff's failure to prepare process. *See* Dkts.

10, 11, 12. Additionally, the Court issued an order (Dkt. 13) directing Defendants to file an expedited response to the Motions within seven (7) days of service thereof. *See* Dkt. 13. On July 1, and July 2, 2020, the Court received acknowledgement of receipt of the Court's Order (Dkt. 13) from Defendants. *See* Dkts. 16, 17. Defendants each timely filed a response to the Motions. *See* Dkts. 18, 20, 21, 22.

In the Motions, Plaintiff requests the "Government to remove all their illegal spy equipment and to immediately stop their illegal surveillance abuse of me" (Dkt. 7) and an "Emergency hearing and relief from government" (Dkt. 8). Plaintiff provides no allegations or legal arguments in support of his requests. *See* Dkts. 7, 8. Defendants respond that Plaintiff has failed to make a request upon which relief may be granted. *See* Dkts. 18, 20, 21, 22.

Pursuant to Federal Rule of Civil Procedure 7(b), a motion must "state with particularity the grounds for seeking the order" and "state the relief sought." FED. R. CIV. P. 7(b)(1). Plaintiff's Motions fail to comply with Rule 7(b), as Plaintiff provides no basis to support either of the Motions. While *pro se* pleadings are entitled to liberal construction, the Motions fail to give Defendants or the Court adequate notice of what exact relief Plaintiff is requesting from the Court and the grounds for such request. *See Haines v. Kerner*, 404 U.S. 519, 521 (1972). Further, Plaintiff's *pro se* status "does not excuse [him] from complying with federal rules, rules of civil procedure, or local rules of court." *Perkins v. U.S.*, 314 F.Supp.2d 664, 670 (E.D. Tex. 2004). As Plaintiff has failed to state adequate grounds for the Motions, the Court finds that Plaintiff's Emergency Motion for Removal (Dkt. 7) and Emergency Motion for Hearing (Dkt. 8) are hereby **DENIED**.

So ORDERED and SIGNED this 3rd day of September, 2020.



KIMBERLY C. PRIEST JOHNSON
UNITED STATES MAGISTRATE JUDGE